

AQAA
DAR COUNCIL ACTIVITY REPORT
23 April 1997

FAR/DFARS Cases Discussed:

97-D302	Certification of Requests for Equitable Adjustment: Implements statutory requirement at 10 USC 2410 for certification requests for equitable adjustment to contract terms exceeding \$100,000.	Agreed to a revised interim rule, as edited.
97-010	Taxes Associated with Divested Segments: Implements changes to the cost principle at 31.205-41 to address the treatment of tax increases on the gain resulting from the sale of a contractor segment or segments.	Agreed to proposed rule.
97-005	Independent Government Estimates- Construction: Revises the threshold for Independent Government Estimates for construction contract modifications.	Agreed to CAAC revisions to final rule. Subject to reclama by 04/30/97.
96-D021	Sales Commissions and Contingent Fees--FMS: Conforms to changes adopted in the FAR, pertaining to elimination of requirements for Government review of a prospective contractor's contingent fee arrangements.	Navy raised concerns re: \$50K limitation and countries list. Will be discussed again 04/30/97.
95-032	IR&D/B&P Costs for FY96 and Beyond: Revises IR&D/B&P cost principle to implement the intent of Congress to treat these costs for FY96 and beyond as fully allowable, subject only to the FAR normal standards of reasonableness and allocability.	Agreed to final rule. Subject to reclama by 04/25/97.
95-307	Use of DUNS as Primary Contractor Identification: Revises FAR to make the DUNS number the primary contractor identification. [NOTE: The reclama comments raised by Anne Burleigh, MMPPP, were incorporated.]	Agreed to revised draft interim rule, as edited, based on reclama comments. [Final rule had been agreed to 04/17/97.]
97-D300	Ball and Roller Bearings-Waiver: Adds waiver authority for acquisitions of ball or roller bearings subject to the restrictions of 10 USC 2534 when using simplified acquisition procedures.	Agreed to convert proposed to final rule without change.
96-D330	Individual Compensation: Implements Section 8071, PL 104-208, which provides that no funds may be obligated for payment on new contracts on which allowable costs charged to the Government include payments for individual compensation at a rate in excess of \$250,000 per year.	Agreed to convert interim to final rule without change.

NOTE 1: FAR Council will hold a public meeting on the Modular Contracting proposed rule, FAR Case 96-605, on 28 Apr 97, 9 AM - 12 Noon, at the GSA Auditorium, 1800 F Street (First Floor), Washington, DC.

NOTE 2: DAR Council has requested nominations for Chair, Small Business Committee, to be submitted by 30 Apr.